

ROBERT F. BENNETT
UTAH

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United States Senate

WASHINGTON, DC 20510-4403
(202) 224-5444

May 24, 2010

Honorable Julius Genachowski, Chairman
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

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Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn and Baker,

I am writing to urge you to set a fair and predictable rate for Video Relay Services ("VRS"). As you are aware, VRS is a broadband-based relay service that enables deaf individuals in Utah and throughout the country to communicate in real time in their own language, American Sign Language ("ASL"). Deaf individuals often describe VRS as life-altering and many deaf Americans have come to rely heavily on VRS to place calls to hearing individuals. It is not only a critically important service in and of itself, but VRS is also driving broadband adoption among the deaf – where broadband adoption has otherwise lagged.

In Title IV of the ADA, Congress requires that the FCC promote efficiency, improved technology, nationwide access, and functional equivalence for the deaf. Because VRS is generally considered the most functionally equivalent form of relay service available today, it is essential that the Commission establish a fair and predictable rate for VRS that promotes these goals.

I am concerned that the Commission's April 30th rate proposals do not include many of the real costs of providing VRS. The Commission voted unanimously three years ago for a multi-year, incentive-based rate plan. That plan encouraged investment, innovation, and efficiency and helped avoid protracted and contentious debates about costs. The April 30th rate proposals seem to reverse course and look to adopt a cost-based system that does not include all of the true costs. I worry that the Commission's actions could undo recent progress toward functional equivalence. The results would likely be devastating – in terms of jobs lost and the communications services available to the deaf community.

The nation's leading VRS provider, Sorenson Communications, Inc., is headquartered in the State of Utah and represents a true American success story. Sorenson was founded by a Utah

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family in 1995 and began providing VRS in 2003. While it was not the first provider of VRS, the company has grown by providing excellent and innovative service to deaf individuals. Sorenson now employs almost 800 Utah residents and about 5,700 individuals throughout the country and is one of the nation's largest private sector employers of deaf individuals. The Commission's April 30th rate proposals have put these jobs and the vital service VRS providers offer to deaf individuals in jeopardy.

Without VRS providers like Sorenson, members of the deaf community would be forced to resort to typing over TTYs (typewriter-like machines) to call 911, doctors, neighbors, family members, or friends – a slow, tedious, and frustrating experience. This would be a step back in the path to functional equivalence.

I urge you to adopt a VRS rate that is fair and predictable. The rate you set should encourage the innovation and advancements that have made VRS the preferred method of communication for the deaf. VRS is a success of the Americans with Disabilities Act, and I urge you to ensure that progress in communications for the deaf continues.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert F. Bennett", with a stylized flourish at the end.

Robert F. Bennett
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 5, 2010

The Honorable Robert F. Bennett
United States Senate
431 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Bennett:

Thank you for your letter regarding the reimbursement rate for Video Relay Service (VRS). I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing.

On June 28, 2010, the Commission unanimously adopted two items to address immediate and long-term approaches for sustaining the vital Telecommunications Relay Services, of which VRS is one form. In an *Order*, the Commission sets interim VRS rates for the July 1, 2010 – June 30, 2011 period at \$6.2390 for Tier I, \$6.2335 for Tier II, and \$5.0668 for Tier III. These rates represent the average of the current tiered rates and NECA's proposed rates based on actual, historical costs. The *Order* notes that these rates also reflect a balance between the goal of ensuring that VRS providers recover from the VRS Fund only the reasonable costs caused by their provision of VRS and the goal of ensuring quality and sufficient service during a one-year period.

The other item adopted on June 28 is a *Notice of Inquiry* to take a fresh look at the VRS rules with an eye to ensuring that this vital program remains effective, efficient, and sustainable in the future. The *Notice* poses questions that delve into many cost and reimbursement related issues, seeking to make the program less susceptible to the waste, fraud, and abuse that have plagued the current program. Bringing clarity and predictability to VRS compensation is high on the Commission's list of priorities, and we will resolve this proceeding as expeditiously as possible. I am enclosing a copy of the Commission's News Release for your information.

I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,



Julius Genachowski